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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,536	04/25/2001	Todd A. Newville	09651-014001	7416
26161	7590	03/26/2004	EXAMINER	
FISH & RICHARDSON PC 225 FRANKLIN ST BOSTON, MA 02110			RAMPURIA, SHARAD K	
			ART UNIT	PAPER NUMBER
			2683	
			DATE MAILED: 03/26/2004	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,536

Applicant(s)

NEWVILLE, TODD A. 

Examiner

Sharad Rampuria

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4.6</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Malackowski et al., Witkowski et al., Stolarczyk et al., Cox et al., Noreen et al., Barnier et al.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, & 8-10 are rejected under 35 U.S.C. 102 (b) as being anticipated by Wang et al.

1. Regarding claim 1, Wang disclosed A communication system comprising:
a stationary transceiver (fig.2; 16-18) defining an information portal in a vicinity thereof;
a local server (fig.2; 34) in communication with said transceiver, said local server being configured to respond to a mobile processing-system present within said information portal.
(col.2; 63-col.3; 5)

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2. Regarding claim 2, Wang disclosed The communication system of claim 1, wherein said local server is configured to identify a mobile processing-system present within said information portal. (col.2; 63-col.3; 5)

3. Regarding claim 3, Wang disclosed The communication system of claim 2, wherein said local server is configured to perform a function on the basis of the identity of said mobile processing-system, said function being selected from the group consisting of: providing selected data to said mobile processing-system; permitting building access to a portion of said building; controlling an elevator in said building; and providing interactive access to a network. (col.7; 7-21)

4. Regarding claim 4, Wang disclosed The communication system of claim 1, wherein said local server is configured to establish a communication link between said mobile processing-system in said information portal and a selected location. (col.4; 3-14)

8. Regarding claim 8, Wang disclosed The communication system of claim 1, wherein said stationary transceiver is disposed at a location selected from the group consisting of an elevator, a building lobby, and a vehicle. (col.2; 53-62)

9. Regarding claim 9, Wang disclosed The communication system of claim 1, wherein said local server and said stationary transceiver are in communication across a local area network. (col.2; 63-col.3; 5)

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10. Regarding claim 10, Wang disclosed The communication system of claim 1, wherein said local server and said stationary transceiver are in wireless communication across a local area network. (col.2; 63-col.3; 5)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6, 11, 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. in view of Kennedy, III et al.

6. Regarding claim 6, Wang disclosed all the particulars of the claim except an access control unit in communication with said local server, said access control unit being controlled by said local server on the basis of the identity. However, Kennedy teaches in an analogous art, that The communication system of claim 2, further comprising an access control unit in communication with said local server, said access control unit being controlled by said local server on the basis of the identity (col.24; 15-26) of said mobile processing-system. (col.7; 54-65 & col.22; 37-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention

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to include an access control unit in communication with said local server, said access control unit being controlled by said local server on the basis of the identity in order to routing a call from a mobile unit to a selected one of a plurality of service centers in wider range of communication solutions.

11. Regarding Claim 11, Wang disclosed all the particulars of the claim except a fulfillment server. However, Kennedy teaches in an analogous art, that The communication system of claim 1, further comprising a fulfillment server in communication with said local server, said fulfillment server having access to a wide area network. (col.7; 54-65 & col.22; 37-53)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a fulfillment server in order to routing a call from a mobile unit to a selected one of a plurality of service centers in wider range of communication solutions.

13. Regarding Claim 13, Wang disclosed all the particulars of the claim except a global computer network. However, Kennedy teaches in an analogous art, that The communication system of claim 11, wherein said wide area network comprises a global computer network. (col.7; 54-65 & col.22; 37-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a global computer network in order to routing a call from a mobile unit to a selected one of a plurality of service centers in wider range of communication solutions.

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14. Regarding Claim 14, Wang disclosed all the particulars of the claim except a fulfillment server. However, Kennedy teaches in an analogous art, that The communication system of claim 11, wherein said fulfillment server includes a user-interface for enabling a user to cause said fulfillment server to collect selected information. (col.7; 46-65 & col.22; 37-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a fulfillment server in order to routing a call from a mobile unit to a selected one of a plurality of service centers in wider range of communication solutions.

15. Regarding Claim 15, Wang disclosed all the particulars of the claim except a fulfillment server. However, Kennedy teaches in an analogous art, that The communication system of claim 14, wherein said fulfillment server is configured to provide said selected information to said local server when said local server identifies, within said information portal, a mobile processing unit associated with said user. (col.7; 46-65 & col.22; 37-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a fulfillment server in order to routing a call from a mobile unit to a selected one of a plurality of service centers in wider range of communication solutions.

16. Regarding Claim 16, Wang disclosed all the particulars of the claim except a fulfillment server includes a user-interface. However, Kennedy teaches in an analogous art, that The communication system of claim 14, wherein said fulfillment server includes a user-interface for enabling a user to cause said fulfillment server to detect an occurrence of a condition. (col.7; 7-29) Therefore, it would have been obvious to one of ordinary skill in the art at the time of

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invention to include a fulfillment server includes a user-interface in order to provide a system using a programmable user interface.

17. Regarding Claim 17, Wang disclosed all the particulars of the claim except a fulfillment server. However, Kennedy teaches in an analogous art, that The communication system of claim 16, wherein said fulfillment server is configured to provide information indicative of an occurrence of said condition to said local server when said local server identifies, within said information portal, a mobile processing unit associated with said user. (col.7; 7-29) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a fulfillment server in order to routing a call from a mobile unit to a selected one of a plurality of service centers in wider range of communication solutions.

18. Regarding Claim 18, Wang disclosed all the particulars of the claim except a fulfillment server. However, Kennedy teaches in an analogous art, that The communication system of claim 16, wherein said fulfillment server is configured to provide interactive services to said mobile processing unit. (col.7; 7-29) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a fulfillment server in order to routing a call from a mobile unit to a selected one of a plurality of service centers in wider range of communication solutions.

19. Regarding claim 19, Wang disclosed A communication system comprising:

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a plurality of stationary transceivers (fig.2; 16-18), each configured for wireless communication with a mobile processing system present in a corresponding information portal; and a server system (fig.2; 34) in communication with each of said stationary receivers (col.2; 63-col.3; 5),

Wang fails to disclosed a global computer network. However, Kennedy teaches in an analogous art, that server system having a link to a global computer network and thereby providing said mobile processing system with wireless access to said global computer network. (col.7; 54-65 & col.22; 37-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a global computer network in order to routing a call from a mobile unit to a selected one of a plurality of service centers in wider range of communication solutions.

20. Regarding claim 20, Wang disclosed A method for providing a mobile processing system with wireless access to a global computer network, said method comprising: maintaining an information portal (col.2; 63-col.3; 5); establishing wireless communication between said mobile processing system and a server system following entry of said mobile processing system into said information portal; (col.2; 63-col.3; 5)

Wang fails to disclosed a global computer network. However, Kennedy teaches in an analogous art, that providing a link between said server system and said global computer network. (col.7; 54-65 & col.22; 37-53) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a global computer network in order to

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routing a call from a mobile unit to a selected one of a plurality of service centers in wider range of communication solutions.

Claims 5, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. in view of Carey et al.

5. Regarding Claim 5, Wang disclosed all the particulars of the claim except a link selected from the group consisting of an audio link, a video link, and a two-way communication link. However, Kennedy teaches in an analogous art, that The communication system of claim 4, wherein said communication link comprises a link selected from the group consisting of an audio link, a video link, and a two-way communication link. (col.9; 1-9) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a link selected from the group consisting of an audio link, a video link, and a two-way communication link in order to provide optimum radiation patterns within coverage area of a wireless communication system.

7. Regarding Claim 7, Wang disclosed all the particulars of the claim except transceiver is selected from the group consisting of a radio transceiver, an optical transceiver, an infrared transceiver, and an acoustic transceiver. However, Kennedy teaches in an analogous art, that The communication system of claim 1, wherein said stationary transceiver is selected from the group consisting of a radio transceiver, an optical transceiver, an infrared transceiver, and an acoustic transceiver. (col.9; 1-9) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include transceiver is selected from the group consisting of a radio

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transceiver, an optical transceiver, an infrared transceiver, and an acoustic transceiver in order to provide optimum radiation patterns within coverage area of a wireless communication system.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al., & Kennedy, III et al. further in view of Schwartz et al.

12. Regarding Claim 12, Wang disclosed all the particulars of the claim except a cache for temporary accumulation of information. However, Kennedy teaches in an analogous art, that The communication system of claim 11, wherein said local server comprises a cache for temporary accumulation of information from said fulfillment server to be relayed to said mobile processing system. (col.17; 3-15) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include a cache for temporary accumulation of information in order to provide a control engine in the link server.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Thu. (8:45-6:15) alternate Fri.(8:45-5:15).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Sharad Rampuria
March 22, 2004



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600